

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:11-CV-423-FL

SHEIK MUSTAFA MUHAMMAD EL-BEY,)
also known as Ellis Ray Patterson El-Bey,)
and EMPRESS TALIBA EL-BEY, also)
known as Gretchen Ann Patterson El-Bey,)
Plaintiffs,)

v.)

STATE OF NORTH CAROLINA,)
GREGORY A. WEEKS, Resident Superior)
Court Judge, and)
ROBERT G. HICKS, Attorney for the State,)
Defendants.)

ORDER

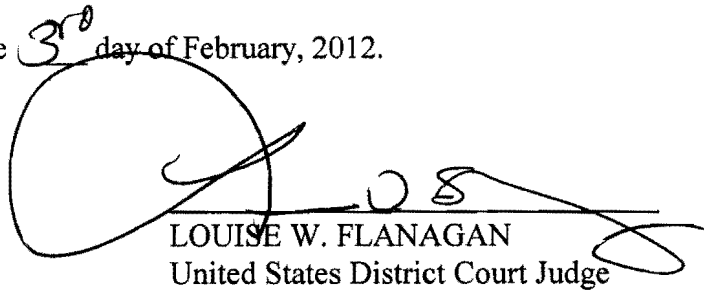
This matter comes before the court for review of plaintiffs' complaint pursuant to 28 U.S.C. § 1915A. Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), United States Magistrate Judge David W. Daniel entered a memorandum and recommendation ("M&R") wherein he recommends that the court dismiss plaintiffs' complaint as frivolous. Plaintiffs have filed no objections to the M&R, and the time within which to make any objection has expired. In this posture, the matter is ripe for ruling.

Plaintiffs' motion is before the court with benefit of the magistrate judge's analysis. Upon a careful review of the M&R, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Because no objections have been filed, the court reviews the magistrate judge's findings and conclusions only

for clear error, and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983).

Upon careful review of the M&R, the court finds the magistrate judge's analysis to be thorough, and there is no clear error. The court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiffs' complaint is DISMISSED as frivolous. The clerk of court is directed to close the case.

SO ORDERED, this the 3rd day of February, 2012.



LOUISE W. FLANAGAN
United States District Court Judge